



Mar 10 2009
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EXHIBIT E

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE: METHYL TERTIARY BUTYL	:	
ETHER ("MTBE") PRODUCTS	:	<u>CASE MANAGEMENT</u>
LIABILITY LITIGATION	:	<u>ORDER #31</u>
-----	:	
	:	Master File No. 1:00-1898
This document relates to:	:	MDL 1358 (SAS)
	:	M21-88
Suffolk County Water Authority and County	:	
of Suffolk v. Amerada Hess Corporation, et	:	
al., 04 Civ. 5424	:	
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SHIRA A. SCHEINDLIN, U.S.D.J.:		

This Order memorializes the rulings made during the Conference held on October 31, 2007.

1. *Production of Computer Modeling Data.* Defendants Shell and CITGO shall each produce an affidavit from a person with knowledge stating that no computer modeling data exists for sites within Suffolk County, other than the data already produced to plaintiffs.

2. *Suffolk County Water Authority Taste and Odor Complaints.* By November 8, 2007, Suffolk County Water Authority (SCWA) shall produce a report from its database of all lab data resulting from tests done in response to the ninety-five taste and odor complaints produced to defendants. This data report

shall clearly specify the complaint for which each set of data was produced. Also by November 8, SCWA shall produce an affidavit from its laboratory explaining why it did not generate complaint cards for certain complaints, and representing that all complaint cards that were generated have been produced to defendants.

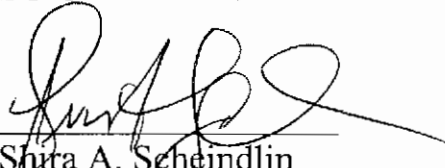
3. *Certain Defendants' Contention Interrogatories and Requests for Admission.* Defendants Chevron, Atlantic Richfield, Total Petrochemical, Gulf Oil Limited Partnership, Valero, and Crown Central are directed to answer the requests for admission and contention interrogatories previously served on plaintiffs, and to provide the responses to the plaintiffs.

4. *Location of Deposition of Plaintiffs' Dr. Belpoggi.* The parties shall confer in an effort to resolve the question of the location of Dr. Belpoggi's deposition. If the deposition is held in New York, it shall be limited to two days and defendants shall pay all of Dr. Belpoggi's travel expenses.

5. *Inspection of Dr. Belpoggi's Laboratory.* Defendants may send a pathologist to inspect the laboratory of plaintiffs' expert Dr. Belpoggi at the Ramazzini Foundation in Bologna, Italy.

Dated: New York, New York
November 6, 2007

SO ORDERED:


Shira A. Scheindlin
U.S.D.J.

-Appearances-

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